



PRESS RELEASE

*Office of the United States Attorney
Middle District of Florida*

PAUL I. PEREZ
UNITED STATES ATTORNEY

400 North Tampa Street
Suite 3200
Tampa, Florida 33602
813/274-6000
813/274-6300 (Fax)

300 North Hogan Street, Suite 700
Post Office Box 600
Jacksonville, Florida 32201
904/301-6300
904/301-6310 (Fax)

80 North Hughey Avenue,
Room 201
Orlando, Florida 32801
407/648-7500
407/648-7643 (Fax)

2110 First Street,
Suite 3-137
Fort Myers, Florida 33901
239/461-2200
239/461-2219 (fax)

Contact: Steve Cole ♦ Public Affairs Specialist ♦ 813/274-6352

For Immediate Release

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LOOTER OF WORLD HERITAGE SITE SENTENCED

Jacksonville, FL- Thursday, January 30, 2003, the United States Attorneys Offices for the District of Puerto Rico and the Middle District of Florida jointly announce today that United States District Court Judge Ralph W. Nimmons Jr. sentenced James Fralick, age 57, from Callahan, Florida, to 3 years of probation and ordered him to pay restitution in the amount of \$10,061.89, with a minimum payment of \$50 per month, and \$200 in special assessments to the National Park Service for violations of the Archaeological Resources Protection Act stemming from his role in the theft of, damage to, and sale of artifacts removed from the Castillo de San Felipe Del Morro (El Morro). El Morro is a 16th century fort located in San Juan, Puerto Rico, and is part of the San Juan National Historic Site, managed by the National Park Service (NPS). El Morro is recognized as one of the world's most important cultural sites, and was designated a World Heritage Site by the United Nations Congress of World Heritage (UNESCO) in 1983.

Fralick was indicted by a federal Grand Jury in the District of Puerto Rico on May 30, 2002. In September, 2002, after a change of venue to the Middle District of Florida, Jacksonville Division, he pled guilty to two felony counts for violations of 16 U.S.C. 470 ee (a) and 470 ee (c) of the Archaeological Resources Protection Act.

An NPS investigation revealed that in 1995, Fralick was hired as a contractor to clean vegetation away from the El Morro fort. Fralick entered a little known passageway into the fort where he encountered artifacts, some dating back to the 16th century. Fralick removed some of the artifacts, including a lead bar with carved inscriptions on one side, and several bullets. He returned to Florida transporting the stolen artifacts, and in 2000, sold the lead bar to co-defendant Danny Macon for \$1,000.

Subsequently, Fralick counseled Macon on how to access the site to find more artifacts, and aided Macon in arranging a trip back to Puerto Rico to acquire more artifacts from the fort. On June 7, 2000, Fralick and Macon broke into the fort after park hours and attempted to locate additional artifacts.

Danny Macon was arrested by FBI agents on January 14, 2003, and remains in custody in Tampa, Florida awaiting further court proceedings on a six count criminal indictment, including three violations of the Archaeological Resources Protection Act, as well as Theft of Government Property, Malicious Mischief, and Forfeiture.

The case was investigated by National Park Service ranger Eric Lugo, National Park Service Archeologist Margo Schwadron, and prosecuted by Assistant U.S. Attorney Carlos J. Martinez from the U.S. Attorney's office for the District of Puerto Rico and Assistant U.S. Attorney Kathleen O'Malley of the Jacksonville Division of the Middle District of Florida. Additional investigative assistance was provided by the United States Postal Inspection Service, Federal Bureau of Investigation in Washington, D.C. and Tampa, Florida.

This is a very important case as it is the first conviction for a violation of the Archeological Resources Protection Act at a World Heritage Site in the United States.

NPS Departmental Consulting Archeologist Frank McManamon said Thursday that “the National Park Service greatly appreciates the joint efforts of the United States Attorney’s Office for the District of Puerto Rico, the Jacksonville Division of the Middle District of Florida, and the FBI for their commitment to this important case. It stands as a testament to the importance of protecting this nation’s great historic heritage.”